

IPW



PATENT
Customer No. 22,852
Attorney Docket No. 03327.2356-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Yasunori ANDO) Group Art Unit: 2812
Serial No.: 10/590,911) Examiner: DINH, Thu Huong T.
Filed: August 28, 2006)
For: ICON BEAM IRRADIATION) Confirmation No.: 4392
APPARATUS AND ION BEAM)
IRRADIATION METHOD)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

In a restriction requirement dated January 16, 2008, the Examiner required restriction under 35 U.S.C. § 121 between:

Group I. Claims 1-5, drawn to an article of manufacturing an ion beam irradiation apparatus, classified in class 257, subclass 1+.

Group II. Claim 6, drawn to method of manufacturing an ion beam irradiation apparatus classified in class 438, subclass 510.

Applicant hereby provisionally elects, without prejudice, to prosecute Group I, claims 1-5.

Please grant any extensions of time required to enter this response and charge
any additional required fees to our Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 15, 2008

By:


Cathy C. Ding
Reg. No. 52,820